

REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1-17 are currently pending. Claims 18-20 have been cancelled without prejudice.

Claims 1-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art in view of United States Patent No. 6,961,575 to Sanforth. Applicants have amended independent claims 1 and 9 and cancelled claims 18-20 to clarify the claimed invention and to obviate the rejection. In particular, Applicants have amended claims 1 and 9 to indicate that the method is directed to calling parties that are roaming into a first network, that the calling parties determine the local gateway of the first network into which it has roamed and then uses the local gateway to send bearer traffic to the second network in which the called party is located.

The present invention is directed to avoiding tromboning of bearer traffic when a calling party roams from its home network to another network. According to the prior art, when a calling party roams to another network, the bearer traffic is tromboned from the network into which the calling party has roamed back to the home network and the gateway of the home network. To avoid the tromboning to the home network and the home gateway, the claims include the step of determining the local gateway of the network in which the calling party has roamed. The method uses this local gateway instead of the home gateway to route the bearer traffic from the network in which the calling party has roamed to the network in which the called party is located.

The admitted prior art discusses routing bearer traffic. When the calling party is in its home network, the admitted prior art describes how the gateway of the home network is used to route the bearer traffic to the network in which the called party is located. This home gateway can be considered the local gateway. But as described above, the admitted prior art trombones the bearer traffic back to the home gateway when the calling party is roaming from the home network to another network. In this situation, the home gateway is not a local gateway because it is not proximate to the calling party and roamed network. Thus, the admitted prior art does not teach, disclose or suggest that

the calling party use the local gateway of the network into which it has roamed to route bearer traffic to the network of the called party.

Sanforth is directed to an ad-hoc, peer-to-peer radio access system for cellular communication systems using time division duplex as a way of maximizing the bits/hz/km² for cellular systems. The network architecture of the ad-hoc system allows the radio access to be integrated with the fixed components of a conventional cellular system, PSTN or ISP. Sanforth's objective is to make the system of the invention transparent to the features and services provided by the external network. The system architecture is comprised of remote terminals, routers, gateways, and at least one gateway controller that interfaces the ad-hoc system to a cellular system.

It is respectfully submitted that Sanforth does not discuss bearer traffic and more particularly does not discuss routing bearer traffic when a calling party is roaming from the home network into another network. Moreover, Sanforth does not address the issue of avoiding tromboning of bearer traffic. The focus of Sanforth is the interworking of peer-to-peer networks to other networks such as a PSTN or cellular network through a gateway and a gateway controller. The present invention is directed to using a local gateway in the roamed network but does need any reference to a gateway controller. Sanforth also discloses the transparency between the peer-to-peer network and the PSTN or cellular network implying that no change is required of the PSTN or cellular network, which is equivalent to Applicants roamed network. The present invention, however, does make changes to the roamed network by relying on its gateway to route bearer traffic instead of the home network's gateway.

Sanforth describes how a terminal determines its neighborhood in order to determine where to register. See column 6 lines 37-41, column 7 lines 51-62 and column 11, 34-54. In these sections, it stated the terminal's neighborhood is determined by listening to the other radio terminals that are in its vicinity. Thus, Sanforth's neighborhood is not directed to a network into which the calling party has roamed. Moreover, Sanforth's reference to routing is related to the terminal establishing the local neighborhood to the other terminals and the gateway. As Sanforth does not describe roaming, the gateway is associated with the gateway for the described neighborhood and is not affiliated the network in which the calling party has roamed. Moreover, Sanforth's

described route is based on Quality of Service requirements, least energy routing, media type (voice/data), for the purpose of interworking the ad-hoc network to another network. As used in Sanforth, routing does not describe routing of bearer traffic between two networks and between the gateway of the roamed network and the network of the called party.

In view of the foregoing, it is respectfully submitted that the cited combination of the admitted prior art and Sanforth does not disclose, teach or suggest that a routing of bearer traffic from a first network, which is the described network in which the calling party has roamed, to a second network as required by independent claims 1 and 9. Moreover the cited combination does not disclose, teach or suggest determining a local gateway of the first network, which is the network into which the calling party has roamed, that is in proximity to the calling party, sending bearer traffic by the first network to the local gateway and directly routing the bearer traffic from the local gateway to the second network in which the called party is located. Applicants therefore respectfully submit that amended independent claims 1 and 9 are patentable over the cited combination. As claims 2-8 depend on claim 1 and claims 10-17 depend on claim 10, Applicants submit that these dependent claims are patentable for the same reasons. Applicants request that the rejection under Section 103(a) be withdrawn.

As Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Serial No. 10/779,893
Xenakis et al.
Case No. CE10902W

Please charge any fees associated herewith, including extension of time fees, to
50-2117.

Respectfully submitted,
Xenakis, George, et al.

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: **22917**

By: /Simon B. Anolick/

Simon B. Anolick
Attorney for Applicant
Registration No.: 37,585
Telephone: 847-576-4234
Fax: 847-576-3750